

Message

From: Reitz, Katherine [reitz.katherine@epa.gov]
Sent: 8/4/2020 4:19:10 PM
To: Hoefer, David [Hoefer.David@epa.gov]
Subject: Highway 3 PCE

Dave,

Highway 3 PCE is a PCE groundwater contamination plume that comes from a currently operating dry cleaning site in downtown Le Mars, Iowa. The groundwater plume was traced back to historic operations at the Ideal Cleaners dry cleaning business. The current owner did not have the ability to pay for removal costs, but did pay for upgrades to the facility to prevent any further contamination. The site has been in the removal program since 2011 and, to date, 20 VI mitigation systems have been installed in commercial and residential buildings downgradient of the groundwater plume. The source area has not yet been addressed, however, because the back portion of the dry cleaner building needs to be knocked down in order to excavate the source area. A neighboring property owner is interested in purchasing the property as a BFPP and turning it into a parking lot and has agreed to EPA knocking down the building to do the response action. The property has been on the market for a while but no other buyers have been interested to date. Unfortunately, the neighbor's business has been suffering due to COVID and so progress has slowed on their purchasing of the property.

Ex. 5 Deliberative Process (DP)

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From: Hoefer, David <Hoefer.David@epa.gov>
Sent: Monday, August 03, 2020 2:07 PM
To: Reitz, Katherine <reitz.katherine@epa.gov>
Subject: FW: Vogel Paint

May I get a write-up on this? Thanks.

From: Pessetto, Jared <Pessetto.Jared@epa.gov>
Sent: Monday, August 3, 2020 8:25 AM
To: Hoefer, David <Hoefer.David@epa.gov>
Subject: RE: Vogel Paint

Hi Dave – Highway 3 PCE is one of Kate's site that I kept watch on. It actually stayed quiet for the duration of her absence, so no news there to my knowledge. Kate may know differently.

As for Vogel Paint & Wax Co., there's plenty to catch up on. Below I've updated my last snapshot entry from February. It's rather long given the need to contextualize our unusually strained relationship with IDNR and Diamond Vogel since last September. The site has been quiet since mid-June while we awaited Diamond Vogel's feedback on a draft memorandum that describes several corrections to the FYR. We received Diamond Vogel's comment late last week, which I'm beginning to digest today. I presume that we will modify the memo as appropriate and finalize it sometime in August. Please let me know if you have any questions or need more information than provided below:

Diamond Vogel Superfund Site (Maurice, Iowa) – On 2/12/2020 EPA (Jared Pessetto, Mary Peterson, and Susan Fisher) participated in a meeting with IDNR (the lead agency) and Diamond Vogel (the site owner) at IDNR's office in Des Moines. EPA requested this conference to improve the parties' relationship, which had deteriorated due to a perceived lack of transparency and PRP participation in the recent Five-Year Review process. These interactions are well-documented in a series of letters between the EPA and Diamond Vogel before and after issuance of the FYR in September 2019. In sum, Diamond Vogel communicated persistent disagreement on issues related to the groundwater point of compliance, adequacy of institutional controls, and site characterization. At the February meeting, EPA offered to prepare a memorandum to correct and clarify several issues in the FYR. To regain trust, EPA also agreed to offer Diamond Vogel an opportunity to provide preliminary feedback on the memorandum, which EPA received from Diamond Vogel last Friday, 7/30.

Concurrent with this exchange, EPA provided support-agency comment to IDNR on two technical deliverables submitted by Diamond Vogel. Diamond Vogel received EPA's comments from IDNR in June, and EPA received response to comments on 7/30. In advance of that submission, Diamond Vogel's outside counsel communicated continued frustration with the granularity of EPA's comments. This complaint was previously voiced by Diamond Vogel at the parties' February conference, at which EPA agreed that the depth of its review of deliverables should reflect its role as support agency. IDNR program staff likely sympathizes with Diamond Vogel's perspective, so this is one concern that may be voiced by IDNR management during coordination calls.

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From: Hoefer, David <Hoefer.David@epa.gov>
Sent: Friday, July 31, 2020 7:29 PM
To: Pessetto, Jared <Pessetto.Jared@epa.gov>
Subject: FW: Vogel Paint

Please add Highway 3 PCE to this for her call with IDNR.

From: Hoefer, David
Sent: Friday, July 31, 2020 7:26 PM
To: Pessetto, Jared <Pessetto.Jared@epa.gov>
Subject: Vogel Paint

I can likely pull this from your monthly report but would like an update for Leslie on this site. Provide a sentence or two describing the sites generally, current status, and any issues that the state may raise during a call that Leslie will be having with IDNR next Wednesday. I'd like this by Tuesday at 9:00 if possible. Thanks.

